

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/500,586

Confirmation No.: 7698

Applicant(s): Kim et al.

Filed: 09/09/2004

Art Unit: 1645

Examiner: Rodney P. Swartz

Title: PRIMERS FOR AMPLIFYING HSP 65 GENE OF MYCOBACTERIAL SPECIES HSP65 GENE FRAGMENTS AND METHOD OF IDENTIFYING MYCOBACTERIAL SPECIES WITH SAME

Customer No.: 00826

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated June 23, 2009, rejecting the following Claims 5 and 8-15. The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

- Applicant claims small entity Status.
- A check is enclosed. (\$540.00 for large entity fee or \$270.00 if small entity status)
- Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.
- Any additional fee or refund may be charged to our Deposit Account No. 16-0605.
- A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

Respectfully submitted,

/ John E. Johnson, III /

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